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**PATENT**  
**DOCKET NO.: 2207/17039**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : P. Hammarlund et al.  
SERIAL NO. : 10/749,271  
FILED : 30 December 2003  
FOR : METHOD AND APPARATUS FOR ENABLING AN  
ADAPTIVE REPLAY LOOP IN A PROCESSOR  
ART UNIT : Unassigned  
EXAMINER : To Be Assigned

COMMISSIONER FOR PATENTS  
**ATTENTION: OFFICE OF PATENTS ADMINISTRATION**  
Washington, DC 20231

**PETITION TO RESPOND TO THE**  
**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**  
**FILED UNDER 37 CFR 1.53(e)**

SIR:

This petition is in response to the Notice to File Missing Parts concerning omitted items of Incomplete Nonprovisional Application of May 3, 2004 (a copy of which is attached as Exhibit A).

It is indicated in the Notice to File Missing Parts that Figure(s) 5b, 6a-6c, 7a-7c, 8a-8c and 9 were described in the specification but omitted from the application. The following numbered paragraphs set forth the facts pertaining to this petition.

1. Applicants' attorney filed together two patent applications on December 30, 2003. Both applications named Per Hammarlund as one of the inventors for the application.
2. The present application, U.S. Application Serial No. 10/749,271, was filed with the correct specification. The application was filed with an incorrect

set of drawings. Five (5) sheets of formal drawings were filed with the '271 application. These items were included in an Express Mail envelope (EV 351180945) and filed at a U.S. Post Office on December 30, 2003. A copy of the PTO-stamped postcard, application transmittal form, specification, and five sheets of drawings are attached as Exhibit B.

3. A second application, U.S. Application Serial No. 10/749,272, was filed with the correct specification. The application was filed with an incorrect set of drawings. Seven (7) sheets of formal drawings were filed with the '272 application. These drawing figures include Figures 5b, 6a-6c, 7a-7c, 8a-8c, and 9. These items were included in an Express Mail envelope (EV 351180931) and filed at the same U.S. Post Office on the same date, December 30, 2003 with what is now the '271 application. A copy of the PTO-stamped postcard, application transmittal form, specification, and seven sheets of drawings are attached as Exhibit C.
4. The drawing figures for the '271 application and the '272 application are related. Figs. 1, 2, and 3 are practically identical for each of these applications.
5. Inadvertently, when the applications were filed, the drawings described by the specification for the '271 application were filed in the envelope with the '272 application, instead. The drawings for these two applications were switched, and thus, the drawings described by the specification for the '272 application were filed with the '271 application.
6. Though filed in different Express Mail envelopes, the drawings for the '271 application were effectively filed with the U.S. Patent and Trademark Office on December 30, 2003 with the '272 application.

Based on the above facts, Applicants' respectfully petition the Commissioner to replace the five sheets of drawings in U.S. Application Serial No. 10/749,271 with the seven sheets of drawings filed in U.S. Application Serial No. 10/749,272. The correct drawings for the '271 application were filed in a separate envelope with the envelope containing the specification of the '272 application on December 30, 2003. In response to

the Notice to File Missing Parts, Applicants will provide a Declaration under 37 C.F.R. §§ 1.63 and 1.64 for the '271 application including its appropriate drawings.

The Office is authorized to charge the \$130.00 petition fee under 37 C.F.R. § 1.17(h), along with any other charges which may be associated with this paper to Kenyon & Kenyon Deposit Account 11-0600. However, Applicants submit that the drawings were received at the USPTO as indicated by the date stamped postcard. Accordingly, applicants request a refund of the petition fee, if appropriate.

A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

2 July 2004



Shawn W. O'Dowd  
(Reg. No. 34,687)

KENYON & KENYON  
1500 K Street, N.W., Suite 700  
Washington, D.C. 20005  
Tel: (202) 220-4200  
Fax:(202) 220-4201  
DC1-496404

DC01 496404 v 1



The datestamp of the U.S. Patent and Trademark Office hereon will acknowledge receipt of the following item(s):

Docket No.	2207/17039	Serial No.	TBA	Date of Mailing	December 30, 2003
By	ESQ/PMR/SJO	Filing Date	TBA	Express Mail No.	EV351180945US

Inventor/s/  
Applicant  
Per H. Hammarlund et al.

Title  
METHOD AND APPARATUS FOR ENABLING AN ADAPTIVE REPLAY LOOP IN A  
PROCESSOR

Item No.	Description	PRO 10/749271	No. of Pages
1.	UTILITY PATENT APPLICATION TRANSMITTAL (plus 1 copy)	10/749271	2
2.	UTILITY PATENT APPLICATION	10/749271	23
3.	FORMAL DRAWINGS	10/749271	5
4.	DECLARATION AND POWER OF ATTORNEY (unsigned)	10/749271	3
5.		10/749271	3

EV 351180945 US

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<input type="checkbox"/> AM/PM <input type="checkbox"/> PM	2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>	Delivery Attempt Mo. Day Delivery/Attempt Mo. Day Delivery Date Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
Weight (lb) 2	Int'l Alpha Country Code CA	COD Fee \$ 0.00	Delivery Attempt Mo. Day Delivery/Attempt Mo. Day Delivery Date Mo. Day
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL  
UNDER 37 CFR 1.53(b)

<i>Office of Patent and Trademark Office JUL 06 2004 PATENT &amp; TRADEMARK OFFICE</i>	<b>Address to:</b>	<b>Attorney Docket No.</b>	2207/17039
	M/S: PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Inventor(s)</b>	Per H. Hammarlund et al.
		<b>Express Mail Label No.</b>	EV351180945US
		<b>Total Pages</b>	33

**Title of Application:**

METHOD AND APPARATUS FOR ENABLING AN ADAPTIVE REPLAY LOOP IN A PROCESSOR

**Transmitted with the patent application are the following:**

2 Page(s) Transmittal form (and one copy)  
 23 Page(s) Cover Page (1); Specification (15) Claims (6), Abstract (1)  
 5 Page(s) Formal drawings  
 3 Page(s) Declaration and Power of Attorney (unsigned)  
 Page(s) Recordation of Assignment and Assignment form  
 Page(s) Information Disclosure Statement (IDS) (copies of citations not included in number of pages)  
 Page(s) Certified copy of:  
 Page(s) Statement of Related Applications

**This application is a** Continuation / Continuation-in-Part / Divisional of prior application Serial No.       , filed       .

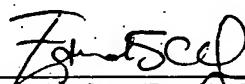
<b>Fee calculation for large entity:</b>	<b>No. Filed</b>	<b>Allowed</b>	<b>No. Extra</b>	<b>Rate</b>	<b>Fee</b>
<b>Basic Fee</b>					\$770.00
<b>Total Claims</b>	30	-20	10	18.00	\$180.00
<b>Independent Claims</b>	4	-3	1	86.00	\$86.00
<b>Multiple Dependent Claim</b>				+\$290.00	
				<b>Assignment</b>	
				<b>Total</b>	<b>\$1,036.00</b>

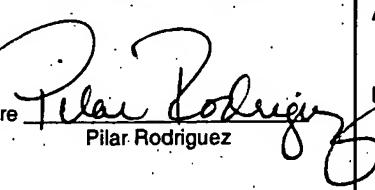
The Commissioner is hereby authorized to charge payment of any fees associated with this communication or arising during the pendency of this application per 37 CFR §1.16-1.21, or to credit any overpayments, to Deposit Account 11-0600.

**Customer Number:****25693****Express Mail Certificate**

I hereby certify that the above paper/fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated below and is addressed to the M/S: PATENT APPLICATION, P. O. Box 1450, Alexandria, VA 22313-1450

**Respectfully submitted,**

  
Edward S. Quon (Reg. No. 52,144)  
Attorney for Applicant(s)

Date: December 30, 2003 Signature   
Pilar Rodriguez

Date: December 30, 2003